

# Hawaiian Gazette.

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HONOLULU, H. I.: TUESDAY, MAY 26, 1896.—SEMI-WEEKLY.

WHOLE NO. 1762.

**Hawaiian Gazette.**

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

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### OBJECT TO REGISTRATION LAW.

Street Improvements in Hilo—Social Happenings in the Second City. Preparations for Horse Races June 11th—Much Interest Shown, Etc.

HILO (Hawaii), May 21.—Now that the bill providing for the widening and extension of the streets of Hilo has passed, it is to be hoped that Bridge street will be opened through from Waianae street to the volcano road. Such improvement will add not only to the appearance of Hilo's main thoroughfares, but to the convenience of the traveling public, who may have frequent calls on neighboring blocks. By cutting up the long block, splendid sites for business corners will be afforded, and a much needed improvement will be effected.

A meeting of public-spirited citizens will be held this evening at Fireman's Hall to perfect arrangements for a gala day on the 11th of June. There are several good horses in the field, and enthusiasm is growing over the prospects of witnessing some good horse races on that day. The local yachtsmen are also seeking championship for their individual crafts, and some pretty races in Hilo bay may be looked for. Dr. Hutchinson will stake all his possessions on the possibilities of his new boat, lately purchased. It is the life boat of the burnt ship Centaur, and made an enviable record on the run from the lost ship to Hilo bay a few weeks since. J. R. Wilson is also the owner of a new craft.

The Registration Act is not heartily concurred in on all sides. Many urge the same opposition as has been manifested in Honolulu, the placing of the thumb mark being the particularly offensive feature of the law. Up to date sixty-seven persons have registered.

At the bi-weekly meeting of the Hilo Social Club, held at Fireman's Hall Thursday evening, a farce entitled, "An Economical Boomerang" was produced by the following:

Dr. Baldy ..... C. G. Campbell Maggie, the housemaid ..... Mrs. E. D. Baldwin

Mr. Birdplover ..... Bert Schoen Mrs. Birdplover ..... Miss Julia Broderick

Mr. Lila Dabbleton ..... Irving Schoen

Mrs. Dabbleton, Miss Mattie Richardson

The large audience present showed its appreciation of worthy local talent by frequent applause, and the personal hits of the evening were quite apropos. The play was successfully rendered, and it is hoped the young folks feel encouraged to assail the boards again before long. Other features of entertainment were provided by the committee in charge, and lovers of the dance kept up the mazy waltzes until late.

Invitations are out for an afternoon tea at Kaineha, in honor of Misses Forbes and Lyman.

C. E. Richardson and family are spending a few days at the Volcano House.

Mrs. F. S. Lyman is at Kaineha with her family for a few weeks.

Hilo citizens are pleased to see that their old-time friend, D. H. Hitchcock, has so greatly improved in health as to be able to contribute so valuable an article as his latest contribution to the Hilo Tribune.

J. G. Serrao goes to Honolulu today. Messrs. J. A. Scott and C. C. Kennedy are also Honolulu-bound today.

Mr. Wall of Honolulu is in town.

C. S. Bradford, recently of the Advertiser, is registered at the Hilo Hotel.

An unusual number of tourists are in town.

The guests at the hotel were treated to a concert by the Portuguese band last evening.

Mrs. E. G. Hitchcock and daughter, Miss Harriet, and Mrs. Joseph Sisson, will leave in a few days on the bark Annie Johnson, en route for San Francisco. They will proceed to Clifton Springs, New York, where they expect to remain some time for the benefit of the health of Mesdames Hitchcock and Sisson.

The Santiago brought a large cargo of freight and several passengers, among them being Mrs. George Deacon and sister, Mrs. MacGregor, Mrs. Frank Smith and Mr. Haberland.

The weather has been perfect for the past ten days, but la grippe seems quite prevalent about town.

Judge Barnard of Laupahoehoe is inspecting the coffee lands at Olaa this week.

### THE CABLE: A STUDY.

The action of the U. S. Senate during last year's session in appropriating half a million of dollars as preliminary expenses towards laying the cable to Hawaii, and the strong backing it received, made every one hope that something would be done this session. Under this impression, Senator Hale, who

was the author of the resolution of last session, prepared and introduced a bill for a cable to Hawaii, which guaranteed to the Pacific Cable Company of New Jersey four per cent on the cost of laying and maintaining a line between San Francisco and Honolulu, giving the United States Government the full control of the line and the option of buying it at any time. It is this company that Colonel Spalding is interested in and which holds the Hawaiian concession.

When the matter was brought before the House it was thought that the amount of subsidy in the Senate bill was too large, and \$100,000 per annum was suggested. The bill was accordingly changed so as to make the company's project a commercial venture without government guarantee of cost, but reserving to the United States Government the right to control the line. Colonel Spalding also offered to make over to the United States his exclusive right to land cables on the Hawaiian Islands for twenty years. This bill was favorably reported on by the sub-committee, to the whole committee.

Another Hotspur then came into the field, under the name of the Pacific

Cable Company of New York, and introduced bills into both houses providing for a cable to Japan via Pearl Harbor. This company has for its head Mr. Scrymser, who is largely interested in Central and South American cables.

Later it was discovered that John W. Mackay, the controlling owner in the Canadian Pacific Telegraph system and in trans-Atlantic cable lines, was the instigator of the bills.

This company has opposed the New Jersey company very strongly. Mr. Scrymser stated that he considered the Hawaiian concession carrying with it an inter-island cable impossible. The most glaring misstatements have been refuted, but the New York company refused to correct. Among other statements it was said that the Spalding project meant English control of the line.

The real objections to the Spalding line from San Francisco to Honolulu and so to Japan are to be found in the fact that such a line would cut into the business with Japan, China and the East now done by the Mackay-Bennett cables in the North Atlantic and the Scrymser line from Brazil to Portugal in the South Atlantic.

The tactics of the Scrymser company against the Spalding company have been such as would prevent the laying of a trans-Pacific cable, and the fact that they would hear of no methods of accommodation, and have constantly changed their offers, has made the company unpopular with the members.

The offer of subsidy made by the Hawaiian Government, and the fact that the amount voted by the Hawaiian Legislature was on the express understanding that the "United States shall join in the undertaking by the grant of substantial assistance to the contractor," has made the New Jersey or Spalding company popular.

As the House committee voted to subsidize a Pacific cable, it became necessary to change the plan of action. The attorney for the Spalding company addressed a letter to the Hon. W. P. Hepburn, chairman of the House Committee on Commerce, asking for the discharge of both the contesting parties from further consideration and the bringing in of a bill authorizing the Postmaster General, on or before September 1st, to contract with the lowest bidder for transmitting cable messages between San Francisco, the city of Honolulu and Japan, for the term of twenty years—the sum named not to be more than \$160,000 a year, and the messages of the United States to be transmitted without charge, the performance of the bid to be guaranteed in the sum of \$500,000.

Now as to the ultimate action it is hard to say. The time of the House is so short that the new bill may never come to life. Still, a brave effort has been made to get this Pacific cable through, and to get it through with advantage to the Republic of Hawaii. What we need here is cable communication to the United States and inter-island cable communication. Of course this must come. Steam communication has come, as telephones have come, as electric light has come, as the electric car will come. The question is, will it come as soon as we want it? There has been many times in our history when it would have been valuable to have had the cable. There will yet come times in our future history when a cable from these Islands may be more than invaluable, not only to ourselves but to the United States.

This looks like a story that could be taken with a very large pinch of salt. There are men who will back the Cubans financially, but most of them do it for sentimental reasons. Of course to have the privilege of selling the Government lands and the monopoly of the railroads and telephone and telegraph lines, besides other privileges, is a considerable bait; but there is no certainty that when the Cuban patriots were successful they would carry out their share in the contract. The present leaders will as likely as not be dead, and their successors would repudiate their acts. The story seems as if it emanated from the fertile brain of the Spanish reporter.

### PROPOSED SECRET SOCIETY.

A recent issue of the leading Portuguese paper contains the constitution of a secret political organization which members of the colony hope to form. In the first section of the constitution is set forth the reasons for creating the organization. These reasons are substantially to the effect that the Portuguese colony has requested the Government to make certain reforms, and having failed in obtaining proper action in connection with said reforms, the colony feels called upon to form a secret political organization in order to obtain what is wanted.

This opening section is the most extraordinary piece of literature that has been brought to our attention for many a day, as coming from a combination of people who have asserted and reasserted their loyalty to the Government, and published abroad their intention of making their principles and objects

of narrowest have to pay an unjust price to the octopus that draws in every corner it can. A rival company to the Atlantic and trans-Atlantic lines means a base in rates and better service to ordinary business man. At all events, the tenets set

The Advertiser is indebted to Mr. Hastings, the secretary of the Hawaiian Legation, for this valuable information upon cable affairs. Mr. Hastings has done and is doing excellent work for this country at his post of duty, and deserves credit for what he has done,

### THE NEW CABLE BILL.

The new bill which has been brought before the United States Senate and the House of Representatives provides that the cable shall be laid and in operation by January 1st, 1899, and that it shall be in operation to Japan by July 1st, 1900. It is proposed to have a landing station on Midway Island.

The maximum rates are also provided for in the bill. Messages between the United States and Japan are not to exceed one dollar and twenty-five cents a word, and messages between the United States and Honolulu are not to exceed thirty-five cents per word. The press rates over the lines owned by the cable company are not to exceed one-fourth the rate which is being charged for ordinary private messages.

It is also provided that in case of war or rebellion the United States Government, through the President, can take possession of the line and supervise or exclude from transmission or publication any messages it may consider detrimental to the United States.

A final clause says that upon the passage of the act an invitation shall be extended by the President of the United States to the Government of Japan to co-operate in securing the new means of communication between the two countries, so that for a fixed annual amount, proportionate to the sum paid by the United States, the Japanese Government can have the same privileges of transmission of messages that is to be enjoyed by the United States.

If this bill is passed we shall in all probability have the cable laid sometime in 1898. What change it will make in all our business relations. It will also have a distinct effect upon our tourist travel. Many people with large interests object to coming to the Islands where they are debarred from telegraphic communication with the great business centers. May the day soon come when we shall be linked to the world, instead of being isolated from it as we are now. The telegraph annihilates time and distance.

### CUBAN FINANCE.

A somewhat startling statement has appeared in one of the Cuban papers with regard to the Cuban insurrection. According to an exchange, it is stated that the Cuban leaders have signed an agreement with a syndicate of American capitalists. It runs as follows:

"1. If the insurrection is successful the protection of the United States shall be invoked, to prevent European intervention."

"2. The American syndicate shall have a right to sell all Government land."

"3. The syndicate shall have a monopoly of all new railroads, harbors, telegraph and telephone lines."

"4. All materials necessary for constructing such works shall be imported free."

"5. During the first five years all American enterprises shall be free from taxation; English shall be taught at all public schools, and by American teachers."

"6. The monetary system to be in conformity with that of the United States."

"7. American citizens to have the same rights as Cubans."

lowing questions to Minister Cooper, Attorney-General ad interim

First—Are you aware that the two Inter-island steamship companies are in the habit of discriminating between different shippers in the matter of freight rates upon similar kinds of freight?

Second—Have said companies, being common carriers, any legal right to so discriminate?

Third—Can the Executive do anything to stop such discrimination?

A communication from the Senate announced concurrence of that body in certain House amendments to Senate Bill No. 9, relating to internal taxes. The following sections were not concurred in and a conference committee was asked for Sections 19, 31, 76, 83, 84, 85, 93 and 97.

Another communication announced transmission of certified Senate Bill No. 47, relating to ports of entry; also the information that the report of the Joint Conference Committee, relating to House Bill No. 6, extending certain streets in Honolulu, had been adopted.

Accompanying the report was the report of the Commission on Land Transfer and Registration of Deeds, no action having been taken by the Senate other than receiving same.

Senate Bill No. 41, relating to unpaid claims, passed third reading.

House Bill No. 12, relating to land deleterious to public health, taken up in second reading with the report of the committee. Passed second reading with three new sections introduced by Minister Cooper. Ordered typewritten and read third time when reported upon.

Rep. Richards spoke of the sale of old Hawaiian (uncancelled) stamps as being a source from which the Government could obtain a great deal of revenue. The following figures were given of stamps in the possession of the Government:

Surcharged postage stamps and envelopes on hand

Packages contain 250 sheets to a package and 50 stamps to a sheet.

Thirty-eight packages 2-cent postage stamps, \$9,500.

Seven packages 10-cent postage stamps, \$8,750.

Two thousand one hundred and thirty-five sheets 13-cent postage stamps, \$12,810.

Two thousand and seventy-four sheets 18-cent postage stamps, \$18,673.20.

Five hundred and five sheets 50-cent postage stamps, \$12,625.

Eight hundred and seventy-five sheets \$1 postage stamps, \$43,750.

Twelve thousand 5-cent envelopes, \$600.

Ten thousand 10-cent envelopes, \$1,050.

Total, \$123,383.20.

When Rep. Richards read his figures he had the total amount that the Government would receive summed up to \$283,733.20. This was an amount that made the eyes of the Representatives start from their sockets, but when Minister Cooper looked over the figures he found that 12,000 5-cent envelopes would amount to \$600, and not \$60,000, also, that 10,500 10-cent envelopes would amount to \$1,050, and not \$105,000. The true sum total was found to be \$123,383.20, and not \$283,733.20, which is just \$160,350 more.

Rep. Robertson reported for the Judiciary Committee on House Bill No. 32, as follows:

"The object of the bill is to provide for the waiver of jury in criminal cases under the provisions of the Constitution and to allow appeals, jury being waived, to be tried by the Circuit Judges."

"We have prepared a substitute bill which we submit herewith with the recommendation that it pass."

A motion was made and carried that the time set for the destruction of postage stamps be set for December 31st 1896.

#### AFTERNOON SESSION

House Bill No. 25, relating to the provision of revenue for the Government by the assessment and collection of tax on income, announced on the order of the afternoon.

Rep. Haia moved that the exemption in Section 1 be reduced from \$2,000 to \$1,000.

Rep. Rycroft spoke against such action, setting forth the fact that hardship would surely result.

Rep. Rycroft said that the income tax bill had not been introduced for revenue only. It was merely to get the thing in working order.

Rep. Richards was sure that the member who made the motion to reduce the exemption limit had not studied the matter as carefully as the committee, who had given their undivided attention to it. Merchants of Honolulu would be unable to stand the result of such action. The income tax law, in his mind, was the tax law of the future which would take the place of all other laws of its kind. The speaker hoped that the motion would be withdrawn.

Upon being put to vote, there was an overwhelming show of hands against the motion of Rep. Haia.

The remaining sections passed with slight change and amendments and the bill passed third reading unanimously.

#### Seventy-fourth Day.

SATURDAY May 23

The Senate received copies of the license bill as introduced by the House.

The Committee on Public Health reported favorably on the bill relating to the records of birth, marriages and deaths.

Senator McCandless, in the course of his speech in opposition to the special bill, said he would introduce a bill relating to the water rates of the cities that four years be given to the cities to make the proper changes, and that that effect was prescribed in the bill. The bill was referred to the Committee on Internal Taxes.

Senators Wittenhouse, a nose in question of personal privilege and wished to know why the Senate was slighted in

the invitation extended to certain members of the Legislature to accompany the Board of Health on its trip to Molokai. He considered the action of the Board discourteous and announced that he would have something to say on the matter at a later day.

House amendments to the supplemental appropriation bill were accepted and the measure will now go to the President.

House bill No. 25, the income tax bill, passed the first reading and was read the second time by title. Some discussion arising as to the committee to which it should be referred, Senator McCandless moved that it be referred to a special committee of three.

Minister Damon said "The bill seems to me of such great importance, and has created so much discussion that it should be referred to a special committee of five members."

Senator McCandless' motion, as amended by Minister Damon, carried.

On motion of Senator Rice, Senate bill No. 50, relating to records of births, etc., with the report of the committee, was taken up on second reading. The bill was taken up section by section and passed without amendment until Section 19 was reached, when Minister Cooper offered an amendment that the certified copy of the record of birth, death or marriage "shall be competent evidence in any court of the facts therein contained." Passed Section 21 was amended by adding the word "physician," thus making it obligatory for physicians to perform the duties of registrar without further compensation.

Section 6 was reconsidered and the name of the physician attending, if any, added to the facts to be recorded concerning death.

Minister Cooper proposed that the bill go into effect on July 1, 1896. A section to that effect was added.

President Wilder announced the special committee on income tax, as follows: McCandless, Brown, Holstein Horner and Wilcox.

Adjourned.

In the Supreme Court of the Hawaiian Islands.

March Term, 1896.

In the Matter of the Complaint against E. HILLEKUNIHI, District Magistrate of Wailuku, Maui

Before JUDD, C. J., FRIAR and WHITING, JJ.

A District Magistrate removed from office to the

#### OPINION OF THE COURT,

BY JUDD, C. J.

This is a complaint against E. Helekunih, Esq., District Magistrate of Wailuku, Island of Maui, preferred by the Attorney General, charging that the respondent on the 18th of November last, in Wailuku, Maui, corruptly accepted a bribe of twenty-four dollars from one Lum Pak, under an agreement and understanding that in the exercise of respondent's function as District Magistrate he would acquit and discharge certain defendants in the case of the Republic of Hawaii vs. Lum Pak and others, charged with gaming, which case was then and there pending before him. The Attorney General prays that on proof of the charge the respondent be dismissed from office.

The evidence on the part of the prosecution is succinctly as follows. On the 17th of November an arrest of several Chinese had been made at Kahului on the charge of gaming. They were taken to Wailuku court house and soon after released on bail. Information came to the Sheriff of Haut, L. A. Andrews, that the District Magistrate was willing to take a bribe of twenty dollars in order to acquit these parties, who were to be tried the following day, Monday. (The case was on Monday postponed to the next day.) The sheriff thereupon marked twenty Hawaiian silver dollars by making a small shallow hole in the ball surmounting the crown over the coat of arms, entrusted them to Lum Pak, a Chinaman, who was instructed to offer them to the magistrate as a bribe. Captain of Police Lindsay accompanied the Chinaman to the magistrate's house and remained outside while the Chinaman went in, the door having been opened to him by the magistrate. After being in the house some minutes the Chinaman came out and reported that the judge would not take \$20. The money was accordingly returned to the sheriff, and with four more dollars similarly marked and the previously mentioned twenty dollars, Lum Pak, having heard from one Lee Long, a washerman that the judge would take \$24, went again the next evening. Captain Lindsay following him and remaining in the yard under a mango tree some 25 feet distant from the Judge's house. The witness, Lum Pak says that the magistrate expressed his willingness to take the money and to acquit the Chinamen whose case was pending, and that he paid it to Mrs. Helekunih, the respondent's wife, in the magistrate's presence, he counting the coin out into her hands. Officer Lindsay says that he saw the figures of these three persons from his standing-place outdoors, looking through the window and saw Lum Pak hand something to Mrs. Helekunih in the manner described. This being reported to the sheriff he obtained on Tuesday a warrant from the Circuit Judge for the arrest of the magistrate for receiving a bribe and also a search warrant to find the marked money as evidence. On reaching the house in company with the Circuit Judge and confronting Mr. and Mrs. Helekunih with the charge they severally denied all knowledge of that matter. After a search the sheriff found the marked money in a closet in the back part of a bureau in Mr. Helekunih's bedroom. The contents of the envelope in question and concealing the envelope from the circuit officer was marked they both expressed sur-

pise, and were then shown the marks. But neither offered any explanation as to how the money came there, who brought it, or for what purpose, both expressing complete ignorance, though not claiming the money as their own when it was taken away by the sheriff.

On Wednesday, after the case of the magistrate on the charge of receiving a bribe had been called before the Circuit Judge and continued, it was said in behalf of Mr. Helekunih and his wife that the money had been brought to their house by Lum Pak the evening in question as purchase money of a lot of dried fish that had come to Mrs. Halekunih for sale, and which she had been retailing for some days past; and this is the defense they offered before us.

It is beyond all doubt true that twenty-four dollars were that evening delivered by the witness Lum Pak to Mr. and Mrs. Helekunih. The purpose for which it was taken by them is not so well proved. The corroboration of Officer Lindsay is only to the fact of the payment, but not of its object, as he heard nothing of the conversation. We should hesitate before condemning a man of such good standing as Mr. Helekunih on the evidence of a Chinese witness who was apparently acting as an informer and had a strong motive to ensnare the magistrate and win favor with the police. If it were true that he delivered the money to the magistrate's wife to pay for fish he had engaged, it was an innocent transaction, and there is no reason conceivable why both Mr. and Mrs. Helekunih should not have immediately told the sheriff that a Chinaman had been there that evening and had given them twenty-four dollars for fish, and show the money, and thus avoid an unpleasant search for it.

If the story were true, there was every motive on respondent's part to relate it to the sheriff or to the Circuit Judge who gave them every opportunity to do so before they were informed that processes had been taken out against him. Their silence when they were called upon to speak is inconsistent, in our opinion, with their innocence.

But they went further than merely keeping silence. Mr. Helekunih denied that the Chinaman came the evening before and that the money in question had been received. And yet he admits that the Chinaman came to him Sunday evening and offered him the bribe, and Mrs. Helekunih testified that she told her husband about the transaction the previous evening, and Officer Lindsay testified that Mr. Helekunih was present when the Chinaman paid the money.

We refrain from commenting at length upon some parts of the testimony of Mr. and Mrs. Helekunih which would make us doubt their sincerity, but many unessential details were woven into their narratives with the apparent intention of influencing the Court in their favor. We are not impressed with the argument of counsel that the respondent was on such terms of hostility with the sheriff that he did not feel called upon to make any explanation, but assumed the attitude of one accused, reserving his defense. They, however, did not decline to talk at all with the sheriff, but said repeatedly, "We know nothing about this thing."

It is a painful duty to have to pass in condemnation upon the respondent, a man who has held many offices for a long series of years and has had the confidence of several successive administrations, but men of good intentions but of not very strong wills sometimes yield to temptation when they feel confident that detection will not follow. We have an abiding conviction that the respondent is one of this class, and that his offense is proven, and accordingly adjudge and order that he be dismissed from the office of District Magistrate of Wailuku.

Attorney General Smith for prosecution W. A. Kinney for respondent Honolulu, May 14, 1896

For every quarter in a man's pocket there are a dozen uses, and to use each one in such a way as to derive the greatest benefit is a question everyone must solve for himself. We believe, however, that no better use could be made of one of these quarters than to exchange it for a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy, a medicine that every family should be provided with. For sale by all druggists and dealers Benson, Smith & Co. agents for Hawaiian Islands.

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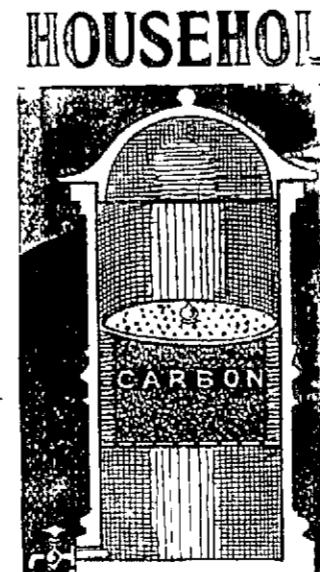
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MOVED, and the  
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is rendered pure  
and palatable.

**POWELL'S BALSAM OF ANISEED**  
WILL CURE YOUR COUGH.

# MEMORIES OF BONNIE SCOTLAND.

Makawao Literary Passes Pleasant Hours.

## CHANGES AMONG MAUI OFFICIALS.

Deputy Sheriff Strikes a Melee—Conference of Native Sunday Schools on June 11th—C. E. Society Chose Delegates—Sugar Sent to the Coast.

MAUI, May 23.—Friday, the 27th, a "Scotch evening" was given at the residence of D. C. Lindsay of Paia, under the auspices of the Makawao Literary Society. There was the usual large attendance, and the following program proved most interesting and enjoyable:

Song and Pantomime—Aul Robin Gray . . . . . Solo—Within a Mile of Edinburgh Town . . . . .

Miss Millie Beckwith.

Recitation—The Field Mouse. Miss Agnes Fleming.

Solo—My Heart's In the Highlands.. . . . . Miss Kate Watson.

Solo—O, Gin I Were a Baron's Heir.. . . . .

Reading—The Sermon Taster..... Mr. Colville.

Quartette—Bonnie Doon . . . . .

Solo—Daddy, Does Your Mother Ken You're Here? . . . . . Mr. Lindsay.

Recitation—Cuddle Doon. Miss Watson

Solo—Blue Bonnets Over the Border..... Mr. Nicoll

Reading—God Bless You, John..... Mr. Lindsay.

Duet—O, Wert Thou in the Cauld Blast . . . . .

Reading—Scotch Words . . . . . Mr. Hardy

Solo—Bonnie Banks of Loch Lomond . . . . . Miss Millie Beckwith.

Quartette—Bonnie Dundee . . . . .

Auld Lang Syne.....

Miss Beckwith sang "Annie Laurie" as an encore, with much pathos, and the quartet, Misses Watson and Beckwith, Messrs. Nicoll and Lindsay, when recalled, sang "Coming Thro' the Rye" most pleasingly.

The young men of Wailuku will give another dancing party to-night at Bailey's.

During the night of the 16th, Deputy Sheriff Carter, Captain Lindsay and a policeman, in attempting to arrest an illicit liquor seller, at Waikapu, got into quite a meleé. Some natives who had congregated about the establishment and imbibed too freely of the fiery liquid dispensed there attempted to prevent the officers from doing their duty. The row which ensued culminated in the arrest of a big native called Kahahawaii, the ringleader of those creating the disturbance.

On Wednesday, the 20th, it was announced over the telephone wires that Deputy Sheriff F. W. Carter had been appointed District Magistrate of Wailuku, vice Helekuhihi, and that Deputy Sheriff L. M. Baldwin of Lahaina would be transferred to Wailuku.

Maui people were much shocked at the sad news of Kate Field's death. Her friendship for the Republic of Hawaii was heartily appreciated.

Wailuku has recently organized a book club similar to the one in Makawao. There is also a tennis club in town.

During the 11th of June the native Sunday Schools of Makawao and Wailuku districts will hold a convention at Pookela Church, Makawao. Great preparations are being made.

Dr. Raymond of Wailuku and Dr. McGettigan of Hana are Maui's representatives at the Honolulu Medical Conference.

The directors of the Maui Telephone Company will meet this afternoon at the Paia plantation office to consider the Hana matter.

The Paia Christian Endeavor Society has chosen Mr. and Mrs. H. Laws and Miss Hammond to represent them at the convention to be held in Honolulu the last of the present month.

J. J. Williams has been doing some photography in Makawao during the past week.

On the 20th the brig Courtney Ford, MacLeod master, sailed for San Francisco with 1,427,305 pounds of Hawaiian Commercial Company's sugar, valued at \$49,955.

On the 21st the brig Lineline, Miller master, arrived in Kahului, 11 days from San Francisco. She brought general merchandise for the Hawaiian Commercial Co.

## DAYTON MADE A HOME RUN.

First Game of the Season Last Saturday.

### TEN TO SEVEN, STARS LEAD.

Poor Playing in the First Part—Not Much of a Crowd—Honolulu Will be all Right—Will Strengthen Weak Points—No Game This Week.

The baseball season opened on Saturday with a game between the Stars and Honolulu club nines. The game was poor at the beginning, but when the boys warmed up to their work the result was quite satisfactory. Tracy and Clarke distinguished themselves by good catches and Dayton astonished himself by making a home run.

Following is the game by innings:

#### First Innings.

Honolulu to bat. H. Wodehouse led off to third and was neatly taken by Lishman, who threw to Willis at first. The throw was bad and Wodehouse made third. Dayton hit to short and went out. Waterhouse out on a foul fly to Lishman. Cupid's fanning let Wodehouse home. Cupid struck out.

Runs—1.

Willie Wilder of the Stars took first on balls. Willis made a straight hit past Waterhouse at short and Wilder came home. Hart made a hit almost touching the mauka fence and made second and brought Willis home. Harry Wilder struck a ball straight to Waterhouse, but it was dropped and Carter took first. Wilder made first and the crowd gave a horse laugh similar to that of the fellow who got another man's seat in the circus. Lishman went out on three strikes. Tom Pryce to base on balls. Sam Wood's hit to short took him to first, and brought H. Wilder and Hart home. E. Wodehouse sent a fly to Jack Low, and Jack Carter died at the scratch.

Runs—4.

#### Second Innings.

Lucas had a hunch and looked like a bicycle rider on a spurt. But he was easy and sent a ball to the Manhattan Insurance Company's sign and made third. Jack Low took first on balls and stole second. Lemon's hit to short brought Lucas home. Low made a sneak on home, Lemon followed to third, Tracy caught out on foul. Clarke hit to left, made first and brought Lemon home. E. Wodehouse struck grounder to left and made second. Lemon came home. Waterhouse took first by being struck by pitcher. Cupid hit to E. Wodehouse and out.

Runs—5.

W. Wilder went to first on balls and stole second on Clarke's wild pitching. Willis had the same chance. Hart struck foul, but Dayton couldn't hold it. Struck fly to Tracy and out. H. Wilder sent a ball into the field and made first. W. Wilder and Willis came home. Lishman sent ball too short for Low to reach, and made first. Pryce struck grounder to Clarke and out. H. Wilder got to first on hit to center, and brought Willis and W. Wilder home. Lishman made first on a hit in Luce's direction and made first. Sam Wood dropped a ball into Waterhouse's hands, but it dropped out. Then he lost it. Lishman made third. E. Wodehouse out on fly.

Runs—3.

#### Third Innings.

Lucas sent a ball to Carter and made first. Went out on a steal to second. Low got first and stole second on Lemon's hit to short. Tracy out at first.

Runs—0.

Carter made a diamond hit, but Waterhouse's wild throw to first let him get to third. W. Wilder's base hit brought Carter home. Willis went out on a fly to Cupid. Hart lost at first on sacrifice hit. Wilder out on fly to Waterhouse.

Runs—1.

#### Fourth Innings.

Clarke fanned himself out and Wodehouse was caught out on a fly to Lishman. Dayton struck to left and made first, stole sec-

ond and third. Waterhouse got to second on a base hit and Cupid struck out.

Runs—0.

Lishman struck to Waterhouse, but a bad throw to first gave him his base. Pryce sent a ball to right and got first. Lishman made third. Wood hit fly to center, made first and brought Lishman home. E. Wodehouse sent the ball to Clark, who jumped and made a neat one-handed high catch, threw to first and Pryce came home. Carter struck to right and was nearly caught by Tracy. W. Wilder struck out.

Runs—2.

#### Fifth Innings.

Lucas was hit with the ball and took first. Low went out on fly. Lucas stole third. Lemon went out on fly to second and Lucas out while sliding home.

Runs—0.

Willis, Wilder and Lishman went out on short order.

Runs—0.

#### Sixth Innings.

Tracy caught out by Wodehouse. Clarke put out at first and H. Wodehouse went out at first.

Runs—0.

Pryce out at first. Wood hit fly to Cupid and out, and Wodehouse hit fly to Low, who had changed places with Waterhouse, and was caught out.

Runs—0.

#### Seventh Innings.

Dayton distinguished himself in this inning by sending the ball so far down the field that he was able to make a home run. Waterhouse made first on a good hit to center and stole second. Cupid went out on fly to Lishman. Lucas struck out and Low hit to Wilder and went out.

Runs—1.

#### Eighth Innings.

Carter struck out. W. Wilder hit to short and out at first. Willis sent a fly to Waterhouse in center field and was caught out.

Runs—0.

#### Ninth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Tenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Eleventh Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twelfth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Thirteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Fourteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Fifteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Sixteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Seventeenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Eighteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Nineteenth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-first Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-second Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-third Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-fourth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-fifth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-sixth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-seventh Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-eighth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Twenty-ninth Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

Stars did not take their half of the inning.

#### Thirty-first Innings.

Dayton out at first. Waterhouse put out by W. Wilder. Cupid out by fly to Lishman.

# Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

W. R. FARRINGTON, EDITOR.

TUESDAY. — May 26, 1896

The Roman Catholic census in the archdiocese of Boston gives an estimated population of 600,000. There are 34,382 pupils in parochial schools, 412 students in the colleges and academies for men and 760 pupils in the academies for young women, 427 priests minister in 159 churches. The city of Boston has 38 churches, and seven churches are provided with pastors who preach in the vernacular.

Judging from the caucus of Monday afternoon, the Senate hopes to redeem its refunding bill sins. Another case where forethoughts have come afterwards. The time for the caucus was when Minister Damon's bills were first introduced. Possibly there will be another attempt to throw the responsibility of failure to refund upon the Executive by the refusal of the latter to extend the session.

A writer in the Westminster Review protests against the custom that requires an unmarried woman to carry the prefix "Miss" to her name all her life, when the Master adds the prefix "Mr." to his name when he becomes of age, whether married or not. She claims that if Frances Willard must be Miss Willard, David Bennett Hill should continue to be Master D. B. Hill. There certainly is a strange anomaly in the manner of addressing men and women, but with the invention of the terms "new woman" and "bachelor girls" the maiden ladies ought not to feel injured.

The death of little Portuguese boy from drowning on Saturday last calls attention to one fact. With so many bathers as there are among the children of the schools, in so hot a climate, accidents are bound to happen. It would therefore be a wise thing to instruct children in the schools as to what should be done in cases of those supposed to be drowned. A few simple general rules could be given and understood by quite young children. Of course, when classes reach the point of studying physiology they can find these things in their books, but such simple matters can be taught long before the physiology class is reached. From what can be learned, prompt restorative action might have saved the life of the little Portuguese boy.

We learn from the Secretary of the Chinese Bureau that owing to the Registration Act the applications for certificates of filing bonds, whereby Chinese were enabled to come to the Hawaiian Islands for a six months' residence, have entirely ceased. This would prove that these parties have been returning others in place of those arriving, which, of course, is finally stopped by the registration, it being impossible to obtain a passport unless the applicant produces his certificate of registration. This will bring the section of the Act restricting Chinese immigration pertaining to merchants and travelers to its legitimate use. There are probably 200 of these certificates of filing bonds in China, but some of the sureties have written on to friends not to come owing to the new law.

It has been difficult to get details of that meeting between the representatives of Pink Pill for Paul People, Cow Balsam, Mrs. Lilia Pinkham's Vegetable Compound, Preacher's Kastrola, Dod's Sassy Parilla, Pain Point and other valuable and little known remedies, but enough is known to make it safe to assert that a motion to advertise more than ever was unanimously carried, it being the impression that a judicious use of the papers will drive out all the doctors.

The doctors have frequently called attention to the large percentage of "unattended" in the mortuary reports. It looks as if the percentage of "unattended" might increase now. Perhaps people will be scared by the charges and won't call the doctors, and so the death rate will be materially lowered.

Members of the Legislature are asking whether the Executive will grant an extension of time for the legislative session. The way to settle this problem is for our legislative friends to buckle down to work and put in a few ten-hour days. Only seven days remain of the session and a considerable amount of important business is still unfinished. This is usually the case with all legislatures here, it is where but it is also true that with 21 sessions and a little centrifugal or legislative force the task can be accomplished in the allotted time. It is a good plan for the first Legislature to do the Republic to establish the principle of calling for more time, besides

a longer session costs money, and already the expenses have gone beyond the original estimate. The legislators should be quite as interested in bringing the session to a close next week as is the President. Let the Senators and Representatives burn a little midnight oil if necessary.

The schedule of prices for physicians adopted by the Medical Society ought to suggest the insertion of the physicians' license in the license bill. If the physicians are to combine to demand the fees proposed in the schedule given in another column, they can well afford to pay a liberal fee for attending to the ailments of our good citizens. A physician can, of course, charge as he pleases, but when the physicians of a country combine to fix rates for medical attendance it is also taken as a matter of course that they will take into consideration the condition of the purse of the common people. The sentimental side of a physician's duty in alleviating the aches and pains of humanity disappears like dew before the morning sun when one considers the new price he has to pay for being so unfortunate as to require a physician's services. If these prices become established the poor people will begin to ponder whether it is better to die or be loaded down with a big doctor's bill.

The seven-by-nine policy of the Board of Health in condescending to allow "one representative of the press" to accompany them on the semi-annual trip to Molokai is not in keeping with the usual good judgment displayed by the Board. If the Board were at the mercy of the newspapers of a less easy-going community they would be "burned to the crisp" in consequence of such short-sighted action. The principal objection to allowing members of the press to go on the trip is the expressed fear of sensational articles. To the best of our knowledge and belief there never has been a sensational article appear in the Honolulu newspapers as the result of a regularly credited representative going to Molokai with the Board of Health. The Board should at least give those having control of the newspapers the credit of possessing average common sense in dealing with such an unpleasant subject. We know full well that Government officials have nothing to conceal in the administration of affairs on Molokai, and that their picaresque action in this case was simply the result of a lack of knowledge of how to handle newspaper men and extend to them the common courtesy which is their just due.

Now that the loan bill has reached the House, the members are seriously considering the advisability of making the bonds redeemable after five years. Thus is the heart of the future bondholder made glad. The bill as passed by the Senate provides that the bonds may be redeemed at any time by the payment of a five per cent premium. This clause was inserted so that the Government would be in a position to refund its entire indebtedness. The House would have favored the refunding bill if an opportunity had been given for an expression of opinion, and now it appears to be prepared to insert a feature in the new loan act that will at least put over half a million dollars of the public loan without the vale of possible refunding. It is true that to take up this loan within five years will practically increase the interest to something like seven per cent. It is also true that unless the 1896 loan can be redeemed and again floated at a lower rate of interest it will be allowed to run the full term of the bonds. With the possibilities of refunding and annexation in view, this country cannot afford to tie its bonded indebtedness to be tied up in long term bonds.

## QUEEN VICTORIA'S BIRTHDAY.

Sunday, May 24th, was the seventy-seventh anniversary of the birth of Queen Victoria, a name that will go down along the stream of history among the brightest of the names both in the past and present.

For fifty-nine years she has sat on the throne of the United Kingdom, and those fifty-nine years mark an era in the history of the world. The manners of mankind have made a marked change and advance since Queen Victoria came to the throne. Anyone who will pick up Thackeray's lecture on George the Fourth and contrast the picture, the standard of life in those times with the standard now must be struck with the change. Material prosperity there has been, but it is the moral influence of a good woman at the head of a great nation a good woman who has had strength of character enough to make her influence felt that has made the greatness of Victoria's reign.

People may not like the policy of the government they may not like a singular pride and at times be a little narrowness of certain classes but they cannot deny the beauty of jesting feature in these constitutions. In each there is a State church recog-

nized, viz., the Dutch Reformed Church. But in the Transvaal republic the constitution is very strict. It says that the doctrine of the Dutch Reformed Church as fixed by the Synod of Dort in 1618 and 1619 shall be supported by the people, that none who are not members of that church are eligible for election, and that no "Roman Catholic" churches nor Protestant churches save those which teach the doctrine of the Heidelberg Catechism shall be permitted within the republic." This is religious intolerance with a vengeance. Though of late the sections have fallen into desuetude, still no person not a Protestant can be elected to office, and the President still must be a member of the Dutch Reformed Church. We have built our republic on the broad and wide line of thorough religious tolerance. The religion of a man is no bar to his occupying any public office.

The tariff measure introduced from the Executive has put the country between the devil and the deep sea. If the bill is killed it will furnish a handle for the calamity howlers in California, and if passed as a "temperance measure" the temperance advocates ought to be ashamed of it. It is said that politics makes queer bedfellows, and certainly this bill creates a queer combination when it mixes up temperance with the wine business. The law might well be passed provided it is amended so that the exemption from duty will take effect two years—instead of one—from the date the bill becomes a law. By that time the next Legislature will be in session and sufficient time will have elapsed for the members to have considered a general tariff law that will contain fewer incongruities than this scheme.

## MORE COPIES OF REPORTS.

It is a pertinent question for some legislator to ask, why such a small number of the departmental reports have been supplied for public use. If there is one thing that should be scattered broadcast throughout this country, as well as the United States, it is the biennial reports of the various departments. The report of the Board of Education has already run out and the Government has to go to the expense of having another lot printed. There certainly cannot be too many copies of this report and those of other departments distributed among the people. Furthermore, every member of the United States Congress ought to be supplied with copies of every report published for the Legislature. Possibly some of the documents would be consigned to an occasional Congressional wastebasket, but the officials of this country would be in a position to state that if the Congressmen don't know the condition of our affairs it is their own fault. In practicing economy in this feature of national expense the Government is displaying false economy.

So long as the facts concerning Hawaii are gleaned from meagre newspaper reports we may expect some of the United States officials to look upon Hawaii as a howling wilderness. Possibly more reports have been printed than has been the previous custom, but even in that case the number is still too small. The cost of printing twice the number now in circulation would be a mere bagatelle. It is the first copies that cost money, and three or four hundred can be added without any appreciable drain upon the public purse. There is nothing gained by being parsimonious in dealing out information that is authentic and the kind of information that is wanted by men studying the annexation problem. The Government should not wait for requests for information, it should be placed where it will be on hand at any and all times.

## TWO CONSTITUTIONS.

Professor Bryce, than whom there is no greater authority upon constitutional law, has been analyzing the constitutions of the two South African Republics in the pages of the "Fortnightly."

The constitution of the Orange River Republic is a short document, that of the Transvaal is long and not nearly so clear.

What chiefly interests one who knows the conditions and ways in these islands is to contrast these constitutions with our own. In some measure they are like ours, as in the case of members of the Cabinet, or what officers are tantamount to that, not having a vote in either House. On the other hand the President has the right to address the House on all questions personally and it is by their own eloquence on the floor of the Legislative assembly that the Presidents of the two republics have been able to wield the immense influence that they do. This is entirely different from the American system upon which our own is modeled. Whether such a feature is an advantage is a question. But the South African President has no right of veto and in this direction has far less power than President Dole.

The church question is another interesting feature in these constitutions. An amendment to decree has been filed by plaintiffs to include certain lands omitted from original decree.

viz., the Dutch Reformed Church. But in the Transvaal republic the constitution is very strict. It says that the doctrine of the Dutch Reformed Church as fixed by the Synod of Dort in 1618 and 1619 shall be supported by the people, that none who are not members of that church are eligible for election, and that no "Roman Catholic" churches nor Protestant churches save those which teach the doctrine of the Heidelberg Catechism shall be permitted within the republic." This is religious intolerance with a vengeance. Though of late the sections have fallen into desuetude, still no person not a Protestant can be elected to office, and the President still must be a member of the Dutch Reformed Church. We have built our republic on the broad and wide line of thorough religious tolerance. The religion of a man is no bar to his occupying any public office.

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT, REPUBLIC OF HAWAII  
IN EQUITY—S. M. DAMON, J. H. FISHER  
and H. E. WAITER, Copartners under the firm name of Bishop and Company, plaintiffs, vs. CECIL BROWN, Administrator with the will annexed of the Estate of Walter Murray Gibson, and Trustee of the Estate of said Walter Murray Gibson, deceased, under said will, and JANE WALKER, Executrix under the will of S. Walker, deceased, and H. E. McINTYRE, in his own behalf, and as Executor under the will of said S. Walker, TALIA LUCY HAYSELDEN, and FREDERIC H. HAYSELDEN, his husband; WILDER'S STEAMSHIP COMPANY, a corporation, WALTER H. HAYSELDEN, LUCY T. HAYSELDEN, junior, a minor; DAVID KALAKUA HAYSELDEN, a minor; and RACHEL K. HAYSELDEN, a minor, defendants.—Foreclosure Proceeding.

Pursuant to decree of foreclosure and sale made in the above entitled suit and Court, May 11th, A. D. 1895, notice is hereby given that the property hereinunder described will be sold at public auction at the Court House (Aliiolani Hale) in Honolulu, Island of Oahu, Hawaiian Islands, on WEDNESDAY, AUGUST 26th, at 12 o'clock noon, said sale to be conducted by said circuit court.

## LIST OF THE PROPERTY.

The following in said Honolulu located on the Executive Building, west of the Judiciary Building, adjoining the Opera House and having a frontage on King Street and Queen Streets, described as follows:

(1)

Frontage on King Street 161 5 feet;

on west side of the Opera House 128 feet;

on the rear (makai) end of the Opera House 79 feet; on Milliani street 251 feet, from the end of the Opera House to Queen Street; thence from Queen Street 242 3 feet; thence from Queen Street to King Street 362 2 feet with a right of way 4 7 feet wide from Richard Street into lot 10 and containing an area of 19 1/2 sq. feet more or less. The aforesaid property consisting:

First—Of all those parcels of land on King Street in Honolulu, comprising the homestead of said W. M. Gibson mentioned in his will.

Second—That parcel of land in the rear of Music Hall in Honolulu, mentioned in deed from G. W. Keawemahai to W. M. Gibson, dated Jan. 8th, 1884, of record in Liber 678, folio 229.

Third—Those parcels of land on Queen Street in Honolulu, described in Royal Patent 3566, L. C. A. 64283, mentioned in deed from A. J. Cartwright Executor to W. M. Gibson, dated April 1st, 1886, of record in Liber 98, folios 164-166.

Fourth—Those parcels of land on Queen Street in Honolulu, mentioned in mortgage from Kalo and Kalaha to B. Torres, dated August 29th, 1886, of record in Liber 55, folios 450-452.

Fifth—All the following property in Lanai, Island of Lanai:

First—That parcel of land on Lanai known as the Pa'auhi mentioned in deed of Emma Kealoha, infant, and others to W. M. Gibson, dated May 13th, 1884, of record in Liber 92, folio 62.

Second—That parcel of land at Lahaina being a part of L. A. 2320 mentioned in deed from Kia Nahoehoa to W. M. Gibson, dated Nov. 4, 1879, of record in Liber 62, folio 102.

Third—Those parcels of land at Lahaina described in L. C. A. 85194, Royal Patent 1876, and in Royal Patent 1190.

Fourth—All of the property on the Island of Lanai forming part of the Lanai Ranch, so-called, belonging to the Estate of W. M. Gibson, and consisting of the following property, to-wit:

LANDS IN FEE SIMPLE.

First—All that tract of land, known as the Ahupua'a of Pa'auhi, containing 5897 1-10 acres, described in Royal Patent No. 3029, and in deed from L. Haale'a, Liber 16, folios 264 and 265.

Second—All that tract of land known as the Ahupua'a of Maunalani, containing 3442 33 acres, described in Royal Patent No. 775, conveyed to said W. M. Gibson by deed of A. J. Cartwright, executor above named.

Fourth—All that tract of land described in Royal Patent 3046, containing 128 acres, conveyed to said W. M. Gibson by deed of William Beder, dated September 27, 1875, of record in Liber 43, folio 359.

Fifth—All those tracts of land described in Royal Patent 3029, containing an area of 236 68 acres, and all the title conveyed by deed of Kelihue and others to W. M. Gibson, dated August 20, 1876, of record in Liber 46, folio 330, and in deed of Kelalau to W. M. Gibson, dated December 7, 1877, of record in Liber 51, folio 389, and in deed from Kelalau to W. M. Gibson, dated August 22, 1876, of record in Liber 46, folio 329.

Sixth—All those parcels of land described in Royal Patent 3046, containing 128 acres, and all the title conveyed by deed of Uilama Paaehao and another, dated November 27, 1888, recorded in Liber 116, folio 33, and described in Land Commission Award 8556, Royal Patent 5137, containing 39 acres more or less.

Seventh—All that land described in Royal Patent 2903, containing 52 7-100 acres, conveyed to W. M. Gibson by Punapai, by deed dated April 24, 1884, recorded in Liber 20, folio 24.

Eighth—All that land described in Land Commission Award 3417 B, conveyed by Kamaka and others to W. M. Gibson by deed dated March 7, 1885, recorded in Liber 19, folio 274.

Ninth—All that land described in Land Commission Award 10,038, containing 7 72-100 acres, conveyed by Kailo to W. M. Gibson, by deed dated June 2, 1885, of record in Liber 19, page 407.

Tenth—All that land described in L. C. A. 4317, conveyed by Mahoe and others to W. M. Gibson, by deed dated January 30, 1887, and recorded in Liber 24, folio 262.

Eleventh—All that land described in Royal Patent 4766 conveyed by Keawemahai and Wahie to W. M. Gibson, by deed dated June 25, 1874, of record in Liber 39, folio 398.

Twelfth—All that land described in Royal Patent No. 4767, L. C. A. 10,041, conveyed by John S. Gibson to W. M. Gibson, by deed dated July 17, 1876, of record in Liber 47, folio 49.

Thirteenth—All that land described in Royal Patent 303, to Kasinga conveyed by K. Kaana, to W. M. Gibson, by deed dated May 25, 1885, recorded in Liber 93, folio 129.

Fourteenth—All other lands on said Island of Lanai of which the said W. M. Gibson was seized, possessed or entitled to on the 14th day of August, 1882 and the 31st day of August, 1887.

LEASEHOLDS.

First—Lease No. 167 from the Hawaiian Government of Paoma containing 9075 acres and of Kamoku, containing 8261 acres, expiring January 1, 1916, annual rental \$500, payable semi-annually in advance.

Second—Lease No. 168 of Kealii Au-

au-Pawhi and Komo, containing 8741

acres, expiring June 24, 1908, annual rental \$150, payable semi-annually in advance.

Third—Lease No. 220 of Mahana, contain-

ing 7073 acres, expiring November 1, 1907,

annual rental \$100, payable semi-annually in advance.

Fourth—Lease No. 279 of Kaanohi, contain-

ing 7360 acres, expiring February 9,

1907, annual rental \$200, payable semi-annually in advance.

Fifth—All other leaseholds on the Island of Lanai, held by W. M. Gibson on the 31st day of August, 1887, so far as the same may be assigned without incurring any forfeiture.

PERSONAL PROPERTY.

As follows:

The sheep, cattle and horses belonging

<div data-bbox="714 588 750 598" data-label="Text

# LEGISLATURE HAS SEVEN DAYS MORE.

Ruling On The "Ninety-Day"  
Question Accepted.

## LICENSE BILL BEFORE SENATE.

Non-Concur in Many House Amendments—Wine Bill Goes Back to Committee—Physicians Hauled Over Coals—Routine Work in House.

Eighty-third Day.

MONDAY, May 25.  
The Senate received an invitation from the Geo. W. De Long Grand Army Post to attend the Memorial day exercises on Saturday. On motion of Senator McCandless the invitation was accepted.

The Committee on Passed Bills reported a number of measures presented to the President for signature.

The Public Health Committee reported favorably on the bill to regulate the practice of medicine and surgery. Consideration of the bill to provide for using the water of Wailuku river was deferred till Tuesday.

The wine bill came up on second reading. Senator Baldwin wanted the bill referred back to the committee in order to make some provision for exempting beer from duty. Beer was a beverage with a small percentage of alcohol, and there was no reason why it should not be included.

Minister Damon said beer had nothing to do with the case. This is a bill that deals with wines, and he would like to see it pass on its merits. Neither the bill nor the reports of the committee said anything about beer, and it was useless to bring this new feature in.

Senator Schmidt opposed sending the bill back to the committee.

Senator Lyman thought the Liquor Commission report and bill covered the matter.

The bill was finally referred back to the committee by a vote of 11 to 2.

The license bill as amended by the House was then taken up. Sections 55, 56 and 57, relating to doctors and dentists, had been stricken out by the House. Senator McCandless moved not to concur. The motion was carried by a vote of 6 to 5.

Sections 68, 69 and 70, relating to license for lawyers, took the same course.

Section 71, making the livery stable license \$50, and \$25 for other districts, the Senate failed to concur in. The Senate also failed to concur in the amendment by the House relating to boarding houses. Section 78, relating to the number allowed by private families, took the same course.

Section 79, relating to merchandise, was concurred in. The \$10 special license on tobacco, cigars and cigarettes was accepted. The Senate concurred in the amendment to the section relating to penalties.

The Senate did not concur in the milk license amendment; penalty for infringement on the law was accepted; non-concurred in striking out Section 87; concurred in notary public license.

Section 101, relating to tailors, was stricken out by the House; Senate concurred. Section 102, making a special \$10 tobacco license, was accepted; draymen's license took the same course.

Section 108 was accepted as amended. The sections in which the Senate failed to concur were referred to a conference committee.

## AFTERNOON SESSION.

At the afternoon session, House bill No. 46, regulating the practice of medicine, came up for second reading with the report of the Committee on Public Health. The committee recommended that the bill pass.

Senator Holstein wanted to know why the word "herself" had been stricken out in the first section. This excluded ladies from obtaining a physician's license. He believed this was a physician's trust and clinch bill, and moved that it be indefinitely postponed.

Minister Damon said that the Attorney General had told him that many cases of malpractice had occurred, and a measure to regulate the practice of medicine was quite necessary. This bill prevented many so-called physicians from tinkering with people unless they have a proper license.

Senator Holstein said that what made him speak of the bill as a clinch bill was that in Section 3 the Board of Health could not accept the diploma of a physician without the recommendation of a board of examining physicians. This put the Board of Health and the applicant in the hands of three physicians, who could do what they liked.

Minister Cooper was called and stated that the word "herself" was left out because the word was unnecessary. The necessity for the bill had been evidenced by cases of malpractice that had come to the attention of the Board of Health.

Senator Rice—Would not this bill prevent people, not physicians, in the country districts giving medicine?

Minister Cooper—No, it would not. The word practice is a technical term and refers to people following a profession. The clause relating to gratuitous practice was inserted because certain people when taken up for malpractice might attempt to escape the penalty by the statement that they were not licensed physicians. Minister Cooper thought the bill was a wise one and was intended to give the Board of Health proper authority to guard the community against quacks.

Senator Holstein's motion to indefinitely postpone was lost, and Section 1 was passed as read. Section 2 passed.

Senator McCandless moved to strike out Section 3, which creates a board of

examining physicians. He thought this was making a double barrelled trust. The Board of Health was competent to examine physicians.

Minister Cooper said this section was requested by the physicians of the Board of Health. They did not want to be placed in the position of passing upon the character of the physicians. The Dental Association had an examining board, and a medical examining board was the usual thing in other countries. The Board of Health wished to have the applicant examined by physicians entirely independent of the Board of Health.

Senator Baldwin thought this medical examining board was a good feature.

Senator McCandless still maintained that Section 3 created a narrow physicians' trust. The Board of Health was competent to pass on the qualifications of physicians.

Minister Damon said the physicians in the Board of Health served without pay, and it was a relief for them to be free from passing upon the ability of men in their own profession.

Senator McCandless' motion to strike out was lost and the section passed as read.

In Section 5 Senator McCandless moved that the whole board of examining physicians be appointed for a year, and not for "one, two and three years." They should all be appointed for a certain period and all go out of office at the end of that time.

Minister Damon said that the method of appointing proposed in the bill was much better than creating a new board every one or two years.

Senator McCandless' motion was lost and the section passed as read, making the first appointments for one, two and three years and all subsequent appointments for three years.

Sections 5, 6, 7, 8, 9, 10 and 11 were passed with slight changes, as recommended by the committee. These sections relate to the administration of the law and provide for revoking licenses for cause, etc. The bill then passed the second reading as a whole. The third reading was set for Thursday.

President Wilder appointed Senators Waterhouse, Rice and Holstein to serve on the license bill conference committee.

Minister Cooper called attention to the fact that the Legislature had been in session eighty-three days instead of seventy-five, as stated in the minutes. The Executive had ruled that the ninety days should include the number of days since the Legislature was opened.

Senator Holstein wanted to know if the Executive would extend the time of the session.

The Minister replied that the President had not said he would not extend the session, but he was very desirous that the work of the session should be finished in the allotted time.

At the suggestion of President Wilder it was voted to change the minutes of the session to make the number of days agree with the ruling of the Executive.

## House of Representatives.

Shortly before the opening of the House yesterday morning a snap shot of the Representatives found them in the following positions:

Rep. Clune watching Clerk Keola write out a check for him.

Rep. Kamaohua trying to pull Rep. Winston's leg and failing.

Rep. Hain looking off into the distance and thinking of far-away Maui.

Rep. Winston feeling of a very sore spot on his right instep, which he says he got from working on Sunday.

Rep. Rycroft wondering as to the advisability of lighting a cigar.

Rep. Pali appearing to be busy.

House was called to order, but only six members being present, a tedious wait became necessary.

After reading of the minutes, Minister Cooper said that the Clerk had read the minutes of the "seventy-fourth" day. It should really be the "eighty-third" day. The days upon which there had been no sessions had not been taken into account. Only six days of the session remained.

Rep. Winston—Can the work be finished in that time?

Minister Cooper—That I am not prepared to say.

Rep. Rycroft—Would it be proper to ask the President now for an extension of time?

Minister Cooper—You had better wait a few days until near the completion of the work. You will then be able to state your case more forcibly. The President spoke to me this morning and asked how the work was getting along. I answered that the House was working diligently.

He seemed very anxious that the work be completed within the allotted time.

Minutes of the previous day adopted with Minister Cooper's amendment.

A communication from the Senate announced concurrence of that body in House amendments to Senate Bill No. 41, relating to appropriations for bills unpaid prior to December 31, 1895; also, selections of Senators Brown, Lyman and Rice as a special committee on Senate Bill No. 9, relating to internal taxes.

Rep. Richards reported for the Committee on Passed Bills that the following had been presented to the President for consideration: Bills relating to extension of streets in Honolulu; footblinding; right of eminent domain; field and staff officers; joint resolution on annexation; appropriations for bills unpaid prior to December 31, 1895; extension of certain streets in Honolulu and reappraisal of certain homesteads.

Rep. Bond announced his intention to introduce a bill relating to blindness of infants.

An invitation was received from the Geo. W. De Long Post, No. 45, G. A. R., asking the House to participate in the observance of Memorial Day. The Secretary was instructed to answer the communication, thanking the Post for its kind invitation.

The trial Court held that the evidence of the defendants did not prove a legal surrender, and that the defendants as lessees of the plaintiffs were estopped to deny their title, and refused to admit the evidence offered as to the title. The Bill of Exceptions disputes the correctness of these rulings. The position

Awarded  
Highest Honors—World's Fair.  
Gold Medal, Midwinter Fair.

**DR:  
PRICES'**  
**CREAM**  
**BAKING**  
**POWDER**

MOST PERFECT MADE.

Fresh pure Grape Cream of Tartar Powder. Fresh pure Ammonia, Alum or any other adulterant.

In all the great Hotels, the leading

clubs and the homes, Dr. Price's Cream

Baking Powder holds its supremacy.

40 Years the Standard.

LEWIS & CO.,

Agents, Honolulu, H. I.

mously. Bill passed second reading. Ordered typewritten.

Under suspension of rules Rep. Kamaohua presented the following resolution:

Resolved, That the Sanitary Committee of the House be instructed to meet and confer with the Board of Health to find if there is any truth in the proposed scale of prices to be charged by the doctors for their services, as reported to have been adopted at a recent meeting of the doctors in session.

Rep. Kamaohua explained that if the report was true, medical aid would be out of the question for a great many people. The license bill had been under the consideration of the House and the proposed license fee on doctors had been stricken out. One doctor had told the members that the matter of fees was simply a fabrication of the newspapers and that there was absolutely no truth in the thing at all. It was the opinion of Rep. Kamaohua that the Sanitary Committee should confer with the Board of Health to seek information as to whether the doctors intended charging the proposed fees and to gather other points in regard to the matter. Resolution unanimously adopted.

Rep. Pali asked for leave of absence, on account of illness in his family. Granted.

In the Supreme Court of the Hawaiian Islands.

March Term, 1896.

C. B. MAILE AND POLOAIEA V. CHIN WO COMPANY, LUM SING, TIN WO, PAN LIEN, TUCK CHANG, HEE SUN AND CHIT YEE.

Before JUDD, C. J., FREAR and WHITING, JJ.

In an action for rent upon a lease a tenant may show by way of defense (1) that the estate of his landlord had determined, or (2) that he had abandoned possession of the premises and given notice thereof to his landlord, and had since in good faith attorneyed to one who had a paramount title and immediate right of possession.

OPINION OF THE COURT,  
BY JUDD, C. J.

This is an action of debt to recover rent on a written lease for a term.

Several natives living in Waialua, Oahu, claiming to own various separate parcels of land joined in making a lease of the same to a number of Chinese. The rent was to be at a certain sum per acre of land to be cultivated and used as a rice plantation. Among the lessors was one Kaaulaula, claiming some nine acres of the land described in Royal Patent No. 333. The lease is dated July 7, 1890, and is for the term of twenty years. Kaaulaula, shortly before his death in 1894, made a conveyance of this land to the plaintiffs. The Chinese tenants paid rent to Kaaulaula, and after his conveyance continued to pay some to Poloaiea, one of the plaintiffs. The suit is to recover rent to date of the action. It was claimed by the defendants, and evidence was introduced tending to prove the same, that on receiving notice from persons claiming to be the owners that defendants' lessor, Kaaulaula, had no title to the land, upon examination they were satisfied that the claim was true, and offered the possession of the land to Kaaulaula's grantees (plaintiffs), and abandoned the same, and after a reasonable time took a lease from Hattie Kekino, Makala (w) and her husband, Puou, who claim to be the real owners, and offered to prove the heirship from Manana, the original patentee, as follows: That Manana devised the land by will, dated in 1855, to Kehaaahiwa, his wife; Kaanaana, the brother of Kehaaahiwa, inherited it from her, and the land passed by inheritance to Kaanaana's daughter, Makala, and his granddaughter, Hattie Kekino. The defendants also offered to prove that Kaaulaula was a tenant at will, living on the land under Kaanaana, and offered certain probate records to prove that Kaaulaula had admitted this title to Kaanaana, having given evidence to this effect in proceedings in probate in the matter of the estate of Kehaaahiwa in 1867.

The trial Court held that the evidence of the defendants did not prove a legal surrender, and that the defendants as lessees of the plaintiffs were estopped to deny their title, and refused to admit the evidence offered as to the title. The Bill of Exceptions disputes the correctness of these rulings. The position

of defendants is this: If they can show that Kaaulaula and his grantees are estopped to deny the title of the real owner, the heirs of Kaanaana, plaintiffs being tenants at will and not having asserted title in themselves, this estoppel now enures to the benefit of defendants under their lease from the true owners, also they do not seek to deny the plaintiffs' title, but to show an affirmative title in themselves, from which any title the plaintiffs had was derived, also they claim that the title that Kaaulaula had, as a tenant at will, was terminated by the lease of the true owners to defendants. The interesting question as to whether this evidence was properly excluded is raised for the first time in our courts.

It is a general and well settled rule of law that a tenant cannot dispute his landlord's title. Disputing the landlord's title means the setting up of an incompatible and paramount title to defeat it. But there are exceptions to this rule, and cases arise where the rule would seem to apply on first sight, but which have circumstances which defeat its operation. 2 Taylor, L. & T., Sec. 708. In *People v. Howlett*, 82 Pa. St. 462, it was held that where fraud or deception is practiced by the landlord in inducing the tenant to accept the lease, or where the lease was made in ignorance of a material fact, the tenant is not estopped.

In *People v. Howlett*, 76 N. Y. 574, a tenant successfully pleaded that his lease was made to cover usury. A tenant is not estopped to set up to his landlord's title is legally extinguished or terminated so that it no longer exists." *Ryder v. Marshall*, 56 Me. 170.

*Lamson v. Clarkson*, 113 Mass. 348, is authority that a tenant is not estopped to show that his landlord's title has expired, either by its own limitation, by the act of the lessor or by eviction by title paramount, and that when the estoppel is set up by one claiming as assignee of the lessor, the tenant may show that such assignment was ineffectual to pass the lessor's title. In this case Mrs. Hillbourn occupied her room as a tenant at will of Mrs. McGrath. McGrath made a written lease of the room to Fogg, who expelled Mrs. Hillbourn from the room. But Mrs. McGrath did not own the estate and was herself a tenant at will of the owner, and the court, per Gray, J., held that she (Mrs. McGrath) could not make a valid alienation which would give Fogg a better title than she had previously given to Mrs. Hillbourn. Mrs. Hillbourn was held not estopped to deny the validity of Mrs. McGrath's derivative title. This is followed in *Palmer v. Bowker*, 106 Mass. 317. *Bigelow v. Estoppel*, p. 403, maintains the doctrine that a tenant is not estopped to allege that he was let into possession under a title from which the landlord's title was derived. The case from which this doctrine is taken is *Ford v. Ager*, 2 Hulston & Colton, 279. Here the defendants did not seek to dispute the plaintiff's title, but to show an affirmative title in themselves from which any title plaintiff had was derived.

To apply these principles to our case. On the defendants' statement Kaaulaula was a tenant at will of the heirs of Kaanaana (the true owners of the land) when he made the lease to the defendants. The lease of the true owners to defendants terminated the tenancy at will of Kaaulaula, and defendants may be permitted to show an affirmative title in themselves from the persons from whom their lessor, Kaaulaula, derived his title. See also *Doe d. Higginbotham v. Barton*, 11 Ad. & E., 307, and *Holbrook v. Young*, 108 Mass. 83.

We think the defendants should have been allowed to prove the facts tendered.

The defendants also claimed that they notified the plaintiffs that they had ascertained that plaintiffs had no title, and offered the possession of the land to them and abandoned the possession thereon until they resumed possession under their new lease from the real owners. This was held by the court to be insufficient to show a surrender, the court holding that "a surrender must be by mutual agreement."

This is not accurate. An eviction to justify attorneyment may be actual or constructive. And a constructive eviction is when a lessee in order to prevent being actually expelled from the demised premises, yields the possession thereof, in good faith, to one who has a title paramount to that of the lessee and his lessor, and also a right to the immediate possession, and this is a good defense to an action for rent brought by the lessor. *Morse v. Goddard*, 13 Met. 177. In such case, says Shaw, C. J., where a tenant thus relies upon an ouster in *pak*, without judgment, he has the burden of proving the validity of the elder title, the actual entry under it and that he acted in good faith and without collusion with the party entering. Of course, a mere voluntary attorneyment

# AN ABLE ADDRESS BY PRESIDENT DOLE.

The Early History of Punahoa  
Mission School.

ORIGINAL GIFT FROM H. BINGHAM.

The Building of the First school—Character of the Pupils—Advancement of the Studies—The Gift of Mr. Bishop—Future of the Oahu College.

Following is the address delivered by President Dole at the dedicatory services of the Pauahi Hall Thursday night.

Mr. President, Ladies and Gentlemen:—The progress of any school of vigorous growth is to some extent marked by its successive school houses. They are significant sometimes of scant resources and of eras of difficulty, sometimes of advancement in wealth or increase of patronage; occasionally one speaks eloquently of devotion to natural science with its tower of stone lifting a telescope toward the skies, or in its harmonious proportions and artistic detail tells of a refined and aesthetic quality of educational entiment. Of the higher and paramount qualities of school work they cannot give direct evidence. The teacher's fidelity to his high ideals leaves no mark in stone, and his success in weaving these ideals into the characters of his pupils cannot be recorded in the architectural features of school houses.

Although Punahoa School is generally credited with having opened in 1842, I learn from its oldest pupil, the Rev. Orramel H. Gulick, that the real start was made in 1841. Ancient letters in my possession corroborate this. In the old Bingham residence, a small adobe building which stood a few yards east of the place where the present Dole Hall now stands, the school was begun with a small class of children. Although this use was but temporary, yet the little sitting room of the Rev. Hilary Bingham's home, which he had with noble self-sacrifice given, with the wide acres about it, was in truth the birthplace of Punahoa School and Oahu College.

While this preliminary teaching was thus carried on, workmen were busy on the double quadrangle which, with some changes in its details, has until a recent date been so familiarly known as Punahoa School. This was at first a one-story building with a ground plan like the capital letter E, enclosing on three sides two square courts. One-half of the middle wing between the courts was reserved as a school room, and for ten years it was the school room. Here school was regularly opened July 11th, 1842, with about fifteen pupils, varying in age from seven to twelve years.

This was Punahoa's first permanent school house. With its adobe walls made of good Punahoa soil, its timbers and rafters out of the Manoa forests, its roof of thatch from the sides of Round Top, and its plastered and whitewashed exterior and interior from the coral limestone and beach sand of the Kewalo reefs, it was in a sense "to the manner born." It told a story of limited resources, of plain living, and of the high sense of the missionary fathers of the value of education; it told more than this, hitherto they had fought heathenish and had striven to save souls for heaven with both hands, with perhaps scarce a thought of a new social life for the Hawaiian community; they had shipped away their children to the United States at a tender age to remove them from heathenish influences and to give themselves more freedom for their work.

But now a radical change was taking place in their attitude toward the missionary enterprise. A part of this change was, undoubtedly, unconscious, and was influenced by various causes—the social life already existing in Honolulu, the pain of family separations, the glimmering light perchance of the truth that their warfare was not solely a spiritual one; but be that as it may, this little school house with its adjacent wings for eating, sleeping and social intercourse, was evidence of a new departure. No more children were to be sent around Cape Horn to heart-breaking experiences of homesickness; the new generation was to take its chances henceforward in the new land and become a part of the growing society of the Islands, to influence it, or be influenced by it, as the case might be, according to individual achievement in character building.

These ten years of the conduct of the school in the middle wing were years of pioneer work. The institution was poor in material resources. Economy had to be practiced in managing the finances. The food supply to a great extent came from the school farm, the work of which was largely done by the boys, working several hours daily. During this period Rice and Dole halls were built replacing a portion of the one-story quadrangles and the north and south wings were extended.

The school was at first a large family of children. The pupils were of fairly good material. They came from homes where there were plenty of books and where education was valued more than money. According to the standards of the present day they were poor but by those of that period they were in comfortable circumstances.

It is not difficult to picture the experiences of that opening day, July 11, 1842. Some of the children were strangers to each other. Those from

the isolated homes of the other islands were undoubtedly homesick and shy. One of them was by his own account overwhelmed with despair as his teacher, who had brought him to school, said good-bye and disappeared through the front gate, that not being able to think of anything more expressive of his emotions, he ran his head against one of the veranda posts. The children from Honolulu, in the majority on that day and already the term of the Honolulu clan of the succeeding years, were eager and confident. Not much studying was possible, but a great deal of talking was accomplished in recess and after school was dismissed. Views were exchanged about school books and teachers and cows and gingerbread. Perchance some lifelong friendships were begun over the noon lunch pails.

The time came at length when more commodious quarters were necessary for the school. The second school house, from which Oahu College is now promoted into Pauahi Hall, was built in response to this need. It has been in constant use for forty-four years. It tells also of limited finances and abstinance from luxury, and it stands as a monument of the fidelity with which its builder, Mr. Rice, made the most of unpromising and unskilled labor. Built of uncut stone from Rocky Hill, and lime burnt on the grounds from coral stone, and lumber from Oregon, which had to be reduced to required sizes at the Punahoa saw-pits, it was evidence of solid growth, of larger demands and of confidence in the future of the school. It was a recognition of the growing importance of the social life of the Islands. It represented an era of wider acquaintance with the world. It began to have pupils who represented wealth. Some increase of polish was discernable. Social matters began to assume a greater importance.

From a school for the children of the missionaries, Punahoa had already become national in character. A larger variety of origin, race and traditions became visible among the pupils. This development and various other considerations, prominent among which was the supposed promising business outlook of the country, resulting from the discovery of gold in California, led the trustees early in the history of the second school house to organize the school into a college, and thus the institution received the new name, Oahu College. The competition, however, was the supposed promising business outlook of the country, resulting from the discovery of gold in California, led the trustees early in the history of the second school house to organize the school into a college, and thus the institution received the new name, Oahu College. The competition, however,

it testifies to development in taste and esthetic sentiment. There may be danger in this advance. There may be something lost in the absence of the old simpler life of early Punahoa, with its freedom from distracting influences in its studious atmosphere. Yet, we must admit it, the larger horizon with all its dangers and distractions is the best growth of sweet and sturdy manly and womanly character.

While I congratulate the pupils who will pursue their studies in this splendid temple of learning, with all its comforts and conveniences and facilities, I wish also to caution you that there is no essential difference in condition between you and the boys and girls of the old school room in the middle wing. It is always the inward impulse that is the ground of success. No one gets up the hill of science without climbing; one may go on foot or on stilts or on a bicycle, he may go barefoot or wear top boots, but climb he must.

Punahoa has from the beginning been a place where education has meant character making, where the highest life has ever been held up as the incentive to effort, where the question what one is going to be is more important than the other question, what one is going to know. I believe that it is essential that this shall be its paramount quest in the promising future that lies before it.

The progress of the school has been an evolution. It has advanced in obedience to an inward impulse and an outward demand. They could not make a college of it in 1855 because the impulse and the environment did not call for a college. The time may come when the dream of the trustees of that period may be more than realized in a university which shall be the natural fruit of past and future growth. It is evident that the school is growing and will keep pace with the social and material development of the Hawaiian Islands.

During its past history Punahoa has shared in the contemporaneous timidity of asking questions. It has been chary of pushing scientific studies in certain directions. We have sometimes gone out of our way to avoid certain localities which contained the crumbling remains of old vices of things, and have whistled betimes as we hurried by. But we have progressed somewhat with the rest of the world, and I am assured that the time is near at hand when Punahoa will no longer hesitate to ask any question of the watchers for the coming light. She will ask the student of the records written in the rocks what he reads. She will question the seed and the flower, the egg and the butterfly, the cell and the man, for God's latest message, and will not be afraid of the answer.

## IT LOOKS LIKE A PHYSICIANS' TRUST

They Fight "Iniquitous" License But Increase Their Fees.

## NO ENCOURAGEMENT TO GET ILL

The Doctors Adopt California Prices. End of the Convention—The Discussion of Fee Bill Keeps Physicians Away—Some Medicos Object.

The secretary read a communication from the secretary of the Pan-American Medical Congress requesting the names of officers of the Congress to be elected here and of such physicians as would like to attend or submit papers to the Congress, which is to be held in the City of Mexico in November next. Dr. Russell was invited to send a paper and he promised to do so. When the minutes of the previous meeting were read Dr. Russell called the attention of the Advertiser reporter to the fact that his paper, read on Thursday, was on "Our Health Policy," not on "Social Life." The correction is here made.

A letter from Dr. Myers regarding the law to be drafted and presented to the Legislature was read.

The resolution offered by Dr. Russell relative to the appointment of a committee to collect papers bearing on cases which may come to them in practice was taken up for general discussion.

Dr. Russell did not think that the members of the association now located in the country districts could be here each annual meeting. He felt sure something would come to their notice during a twelve months that would be of value to the society, and he wanted them to make note of them.

He wanted these papers safely kept so that when the members did come from the country they would be able to examine them.

Dr. Weddick of Kauai thought an addition should be made providing for the Board of Health supplying the society with a place for keeping these papers as well as specimens which may be sent in.

It was not deemed necessary by several members and the motion was not seconded.

The fee bill was then taken up and Dr. Russell was requested to read the following law, which is a copy of the

obnoxious California law, with a view to restricting the limit of population as well as to discourage illness.

## MEDICAL FEE BILL

For an ordinary visit	\$ 5 00
For one night visit from 10 p.m. to 6 a.m.	10 00 20 00
For additional patients in the same family, extra charge	5 00
For the first consultation	10 00 25 00
For each following consultation	10 00 25 00
(For each consultation will be charged by the attending as well as the consulting physician.)	
For office advice and treatment	2 50 5 00
In ordinary cases	
For treatment with the galvanic current, electric battery, or similar applications	5 00 20 00
For microscopic examinations of the sputa and other objects	5 00 25 00
For special examination	10 00 25 00
For ordinary obstetrical cases	25 00 100 00
(After the mid-day visits will be charged at ordinary rates.)	
For instrumental and extraordinary obstetrical cases	50 00 300 00
For vaccination and hypodermic injection of preventive lymph	1 50 10 00
Detoxin, per hour	10 00 20 00
For visits outside of the city, per day	10 00 25 00
For riding carriage upon court outside the city	
Letter of advice or written opinion	5 00 25 00
For examination, involving a question of law in a case, on which the practitioner will be subpoenaed to attend court	100 00
For attendance upon court, per hour or part of an hour	20 00
For administering anaesthetics	10 00 25 00
For assistance in surgical operations to anesthetist	10 00 100 00
For post mortem examinations	50 00 250 00
involving legal questions	500 00 1000 00
Examination of refraction of eyes	20 00 50 00

## SURGICAL FEE BILL

### FIRST CLASS.

Capital Operations, or Operations of Unusual Difficulty or Gravity.	
Such as: 1. Amputation of large limbs; 2. Compound fractures and dislocations of larger bones; 3. Excision and resection of large joints and bones; 4. Ligature of large arteries; 5. Removal of large tumors; 6. Transfusion of blood; 7. Tracheotomy; 8. Cleft palate; 9. Operations for cataract, artificial pupil and enucleation of the eye; 10. Operation for stone in the bladder; 11. Sphincterotomy; 12. Vesico-vaginal and recto-rectal fistula; 13. Fistula of the genital organs; 14. Difficult plastic operations; 15. All operations involving laparotomy, etc.; 16. Hysterectomy; 17. Mastoid operation.....	\$300 00 1000 00
SECOND CLASS.	
Operations of Secondary Importance.	
Such as: 1. Simple fractures and dislocations of smaller bones; 2. Ligature of arteries of secondary size; 3. Radical cure of hydrocephalus; 4. Paracentesis of the thorax; 5. Removal of breasts; 6. Hernia; 7. Operations on urethral strictures; 8. Tracheotomy and intubation of the larynx; 9. Iridectomy; 10. Plastic operations of the eye, ear and nose; 11. Division of cataract.....	250 00 1000 00
THIRD CLASS.	
Minor Operations.	
Such as: 1. Amputations of fingers and toes; 2. Excisions of small cysts or tumors, not involving important organs; 3. Tenotomy; 4. Reducing hernia by traction; 5. Extraction of teeth; 6. Aspiration, etc. 5. Strabismus operations; 6. Sclerotomy; 7. Nasal drill operations; 8. Retromental adenoid vegetation operation; 9. Operation for laceration of cervix uteri, etc.....	100 00 250 00
FOURTH CLASS.	
Such as: 1. For reducing fractures or dislocations of fingers or toes; 2. Excision of tonsils or nasal polyp; 3. Suturing recent wounds; 4. Opening ordinary abscesses; 5. Gastric lavage; 6. Tapetum, hydrocele, etc; 7. Lapping for ascites; 8. Incision and probing of the lacrimal duct; 9. Pterygium operations; 10. Reducing fractures of the nose; 11. Paracentesis tympani; 12. Removal of foreign body from auditory meatus.....	20 00 100 00

The foregoing charges are for the performance of the operation only. For subsequent visits and office attendance, charges are to be made as in ordinary cases of disease, the fee being always in proportion to the time occupied and the trouble and responsibility incurred.

For operations and services not enumerated in the foregoing lists, charges will be made according to their nature and importance, at rates as nearly corresponding to the same as practised by others.

While the Medical Profession recognizes the claims of charity upon its members, yet, inasmuch as the above list of charges is founded upon a just consideration of the services performed, it will be considered a duty on the part of the profession to conform thereto whenever the necessities of the patient do not clearly forbid it.

All bills are considered due and payable immediately after the services are rendered.

Physicians, surgeons and specialists shall have the right to ask a retaining fee from their patients in extraordinary cases.

One dollar for each mile each way will be charged in cases where attendance is required in the country.

Dr. Myers said he liked the bill first rate because he had been used to some of the fees charged, but he thought it would be a dead letter for a time, because the people were accustomed to low prices. Some physicians might underbid in order to get practice. Personally he liked the bill.

Dr. Russell said living, not social life, was 25 per cent higher than in San Francisco, where the bill was framed. He saw no reason why the price should not be proportionately larger.

Dr. Howard doubted the practicability of the scheme, for the reason that the people here as a rule were not as well fixed financially as those in San Francisco. He was used to even higher prices, but that was in Chicago. Dr. Emerson considered it inadvisable to adopt this bill, as it could not be enforced. Some of the prices named were really higher than they could easily collect.

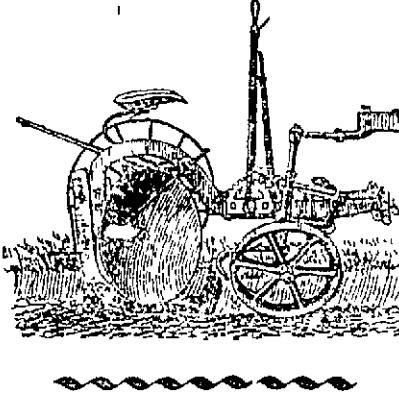
Dr. Howard did not want to be considered an advocate of low prices; he favored high prices.

Dr. Ryder said he was struck by the low prices charged by the physicians. He believed patients would appreciate the physicians more if the prices were higher.

When the motion was put a half-dozen seconds responded. Dr. Emerson wanted the bill sent to a committee. He considered Dr. Russell's bill impracticable and not one that should be obligatory on the society. Considered Dr. Russell's statement pure nonsense.

Dr. Howard favored prompt action on the bill. The program of the convention had been published and it was known that the fee bill was to be discussed today, and yet not a quarter of the physicians of the city were present. Their place was at the convention no matter what amount of business they had. He for one had not seen his office since the convention began.

A general discussion followed on the proposition to refer to a committee. On vote the fee bill passed.



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Limited.

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The largest Plow manufacturers in the world.

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The Secretary Disc Plow is already an established success. A supply is expected at an early day, as also Rice Plows, Breakers, etc., manufactured specially for this country.

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The latest patterns just received from the factory.

Slack & Brownlow's Filters

Twenty years' experience has failed to produce so good a water purifier.

Whooping Cough

and Asthma

Are Speedily Relieved by the use of

VAPO CREOLENE

It is now an admitted fact that all zymotic diseases, as Scarlet, Typhus and Typhoid Fevers, Whooping Cough, Catarrh, Asthma, Croup, Measles, Diphtheria, and Hay Fever, are generated by the agency of bacteria and other low forms of life. These bacteria develop with great rapidity, mainly in the air passages, where medicine with difficulty reaches them. Atomizers, Spraying machines of all shapes and sizes have been introduced to meet this dreaded enemy. They fail in achieving other than a partial result. It is essential that



METEOROLOGICAL RECORD  
By the Government Survey Published Every Monday

Atmos.	Barom.	Wind	Humidity	Wind	Wind
Sat	29.96	SW 22	66	SW 10	N 10
Sun	29.97	SW 20	67	SW 10	N 10
Mon	29.97	SW 20	67	SW 10	N 10
Tues	29.98	SW 20	68	SW 10	N 10
Wed	29.98	SW 20	68	SW 10	N 10
Thurs	29.98	SW 20	68	SW 10	N 10
Fri	29.98	SW 20	68	SW 10	N 10

Barometer corrected for temperature and elevation but not for gravity

TIDES, SUN AND MOON

Day	High	Low	Mean	Sun	Moons
Mon	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Tues	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Wed	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Thurs	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Fri	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Sat	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.
Sun	29.98	29.96	29.97	10:45 A.M.	10:45 P.M.

Ful moon on May 26th at 11:11 P.M. The tides and moon phase are given in Stand and Fall. The times of sun rise and setting are given for all ports in the group in Local Time, to which the respective corrections to Standard Time applicable to each different port should be made. The Standard Time whistle sounds at 12h 00m (midnight) Greenwich Time, which is 1h 30m p.m. of Hawaiian Standard Time

SHIPPING INTELLIGENCE

ARRIVALS

Friday, May 22. Haw. bk Norma, Rosehill, from Kauai. Gilbert Islands.

Stmr James Makee, Peterson, from Kauai ports.

Stmr Lehua, Nye, from Hawaii ports. Saturday, May 23.

Stmr Kinua, Clarke, from Maui and Lahaina ports.

Stmr Waialeale, Parker, from Lahaina.

Stmr Kaala, Thompson, from Oahu ports.

Stmr Mokolii, Hilo, from Lahaina, Molokai and Lanai.

Stmr J. A. Cummins, Neilsen, from Oahu ports.

Stmr Iwalani, Parker, from Molokai, with members of the Board of Health, House Committee and physicians.

Sunday, May 24.

Stmr Claudine, Cameron, from Maui ports.

Stmr Mikahala, Haglund, from Kauai ports.

Stmr Ke Au Hou, Thompson, from Kauai ports.

Stmr James Makee, Peterson, from Kauai.

Stmr Likelike, Weir, from Hawaii ports.

Stmr Kilaeua Hou, Everett, from Hawaii ports.

DEPARTURES

Friday, May 22. Nor. bk Fortuna, Mikkelsen, for San Francisco.

Stmr Iwalani, Parker, for Kalaupapa, Molokai, with Board of Health, physicians and members of the Legislature.

Stmr W. G. Hall, for Maui and Hawaii.

Stmr Mikahala, Haglund, for Kauai ports.

Stmr Kaena, Calway, for Oahu ports.

Monday, May 25.

Am. schooner yacht Coronet, Arthur Curtiss James, commander, for Japan.

Stmr Kauai, Bruhn, for Kauai ports.

Stmr J. A. Cummins, Neilsen, for Oahu ports.

Stmr James Makee, Peterson, for Kauai ports.

Stmr Mokolii, Hilo, for Molokai and Lanai.

Stmr Lehua, Nye, for Hawaii ports.

Stmr Kaena, Calway, for Oahu ports.

San Francisco.

IMPORTS

From Kauai, per stmr. Mikahala, May 16—5420 bags sugar, 66 lbs. gr. hides and 32 pkgs. sundries.

From Kauai ports, per stmr. Waialeale, May 16—3228 bags sugar.

From Hawaii ports, per stmr. Lehua, May 16—2500 bags sugar and 25 head cattle.

From Molokai and Lanai, per stmr. Mokolii, May 16—436 bags sugar, 16 calves, 15 sheep, 4 horses.

From Maui ports, per stmr. Claudine, May 17—8234 sks. sugar, 275 sks. potatoes, 192 sks. corn, 2 horses, 65 hogs, 95 pkgs. sundries.

From Kauai ports, per stmr. James Makee, May 17—2640 bags sugar and 144 bags rice.

From Hawaii ports, per stmr. Iwalani, May 17—4953 bags sugar and 61 bds. hides.

From Oahu ports, per stmr. J. A. Cummins, May 17—860 bags sugar, 115 bags rice and 280 bags salt.

From Newcastle, per bk. Sonoma, May 18—1523 tons coal to order.

From San Francisco, per O. & O S S Doric, May 18—30 pkgs general merchandise consigned to various parties.

From Kauai, per stmr. Ke Au Hou, May 19—3,925 bags sugar, 1 horse and 6 pkgs. sundries.

From Maui and Hawaii ports per stmr. W. G. Hall, May 19—4,102 bags sugar, 67 bags coffee, 48 bags awa and 28 head cattle.

From Oahu ports per stmr. J. A. Cummins, May 20—1,300 bags sugar.

From Oahu ports per stmr. Kaala, May 20—1,600 bags sugar.

From Kauai ports per stmr. Kaala, May 21—7480 bags sugar.

From Oahu ports per stmr. Kaala, May 21—5,131 bags sugar.

From Kauai ports per stmr. Iwalani, May 21—5,043 bags sugar.

From Kauai per stmr. James Makee, May 22—2,640 bags sugar and 70 bags rice.

EXPORTS

For San Francisco per bark Doon, May 20—22,296 bags sugar, weighing

2,625,769 pounds, and shipped as follows:

5935 bags by Theo H. Davies & Co., 10,337 bags by C. Brewer & Co. and 6,024 bags by Castle & Cooke.

For New York, per bark Pactolus May 20—41,596 bags sugar, shipped by Wm G. Irwin & Co.

2,625,769 pounds, and shipped as follows:

5935 bags by Theo H. Davies & Co., 10,337 bags by C. Brewer & Co. and 6,024 bags by Castle & Cooke.

For New York, per bark Pactolus May 20—41,596 bags sugar, shipped by Wm G. Irwin & Co.

PASSENGERS

Arrivals

From Kauai per stmr. James Makee, May 22—H. L. Achilles, L. Winckelman and 7 on deck.

From Maui and Hawaii, per stmr. Hayes Mrs. Ralston, P. H. Duryea and valet, Madison Jones and valet, Daniel Logan, A. F. Wall, Wayports H. E. Wally H. M. Whitney, J. A. Scott, C. Kennedy, Clive Davies T. R. Walker, J. G. Serrao, Mrs. Kim Tai and child M. Brasch, J. T. Baker, S. T. Yicada, Sam Macy, Mrs. Kanly Waipa, S. F. Kawelo, J. A. Kennedy, J. V. Ray, Miss Clara Low, L. A. C. Parish, S. Alunti, Mrs. Ching Sing and child, Geo. Ridick, and 69 on deck.

From Kauai, per stmr. Ke Au Hou, May 24—A. Robinson and wife and D. S. Bailey.

From Kauai, per stmr. Mikahala, May 24—Mrs. A. Cropp, A. Guld and 15 on deck.

From Maui ports, per stmr. Claudine, May 24—H. P. Baldwin, W. H. Cornwell, Mrs. J. K. Josepa and child, Mrs. Josepa and child, E. Hartmann, Chock Tong, G. Gilhus and daughter, H. Angus, H. Renton, Jr., Tang Sing, Y. S. Sun, A. N. Kepotakai, H. A. Heen, Charles David, W. Y. Horner, S. Parker, Captain John Ross, Captain Haesloop, M. D. Monsarrat, Mrs. J. M. Oat and 54 on deck.

Departures

For Maui and Hawaii, per stmr. W. G. Hall, May 22—W. C. Sproull, C. J. Falk, W. G. Wait, Mrs. Johnson, Mrs. Aukile and child, H. P. Baldwin, D. Center and wife, M. D. Monsarrat, E. R. Hendry, J. M. Oat, W. Y. Horner, J. H. Van Giesen, J. F. Brown, Mrs. Day and 50 deck passengers.

For Kauai, per stmr. Mikahala, May 22—M. G. Smith, J. Humberg, W. F. Jessie and 6 deck passengers.

DIED

SMITH—In this city, May 22, 1896, Adrie N. Smith, wife of George Washington Smith, the accountant.

TRIPP—In this city, May 22, 1896, at the residence of Captain Tripp, of cancer of the throat, Charles Miller Tripp, aged 62 years.

CHASE—In this city, May 24, at her residence, 73 Beretania street, Gertrude Wolf Chase, a native of Wurtemberg, Germany, in the 38th year of her age.

TIME TABLE

Wilder's Steamship Company — 1896 —

S. S. Kinau,

CLARKE. Commander.

Will leave Honolulu at 10 o'clock a.m., touching at Lahaina, Maalaea Bay and Makena the same day; Mahukona, Kauai and Laupahoehoe the following day, arriving in Hilo the same afternoon.

LEAVES HONOLULU.

Friday . . . . . June 5

\*Will call at Pohoiki, Puna, on trips marked.

Returning, will leave Hilo at 8 o'clock a.m., touching at Lapauhoeoe, Makuna and Kawaihae same day; Makena, Maalaea Bay and Lahaina the following day, arriving at Honolulu the afternoons of Tuesdays and Fridays.

ARRIVES AT HONOLULU.

Tuesday . . . . . June 2

Will call at Pohoiki, Puna, on the second trip of each month, arriving there on the morning of the day of sailing, from Hilo to Honolulu.

BY AUTHORITY.

OFFICE OF THE BOARD OF HEALTH, Honolulu, May 19, 1896.

NOTICE TO CORPORATIONS.

In conformity with Section 1441 of the Civil Code, all Corporations are hereby notified to make full and accurate exhibition of their affairs to the Interior Department on or before the 31st day of July next, the same being for the year ending July 1st, 1896.

Blanks for this purpose will be furnished upon application to the Interior Office.

Upon failure of any corporation to present the exhibit within the time required, the Minister of the Interior will, either himself or by one or more Commissioners appointed by him, call for the production of the books and papers of the Corporation, and examine its officers touching its affairs under oath.

J. A. KING, Minister of the Interior.

Interior Office, May 21, 1896. 1761-3t

PUBLIC LANDS NOTICE.

Notice is hereby given that the following lots of Government Land will be open for application at or after 9 o'clock a.m., June 1, 1896, under the provisions of the "Land Act, 1896," for right of Purchase Leases and Cash Freeholds.

Twenty-seven lots in Ponahawai, Hilo, Hawaii, of from 20 to 100 acres each.

These lots are at a distance of from three to five miles from the town of Hilo, and are principally first-class agricultural lands, suited to coffee, etc.

The Government reserves the right to a fifty-feet strip across any of these lots if the same is required for the purpose of a public road, such strip to be located at the option of the Government, and to be taken without compensation if across unimproved land.

Appraised value of above lots from \$1 to \$10 per acre.

Fifteen lots in Waikamalo, etc., Hilo, Hawaii, of from thirty to eighty acres each of first-class agricultural land.

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